97TH CONGRESS
2d Session

SENATE

EXECUTIVE REPT.
No. 97-57

CONVENTION ON TONNAGE MEASUREMENTS OF SHIPS, 1969

AUGUST 13 (legislative day, JULY 12), 1982.—Ordered to be printed

Mr. PERCY, from the Committee on Foreign Relations, submitted the following

REPORT

[To accompany Ex. N, 92-2]

The Committee on Foreign Relations, to which was referred the International Convention on Tonnage Measurements of Ships, 1969, which was signed for the United States at London, June 23, 1969, having considered the same, reports favorably thereon with an understanding and recommends that the Senate give its advice and consent to ratification thereof.

PURPOSE

This Convention is designed to establish uniform principles and rules with respect to the determination of the tonnage of vessels engaged in international voyages.

BACKGROUND

The tonnage measurement of vessels produces two figures. The first, commonly referred to as a gross tonnage, is intended to give an indication of the overall size of a ship. This figure has been used to provide a basis for comparison of vessels in connection with administration of national and international laws, statistics, drydocking charge schedules and to provide an index when the relative sizes of vessels are important. The second figure produced by the tonnage measurement is called net tonnage, and usually constitutes the measure of a ship's cargo carrying capacity. This measurement has been utilized principally by port and other dues-collecting authorities as a basis for the assessment of canal tolls and other charges.

Different systems of tonnage measurements have caused duplication in the work of measuring vessels, complicated the movement of ships in and out of the various ports of the world and have created economic inequities among ships of different nationalities. This convention is designed to establish uniform principles and rules with respect to the

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determination of the tonnage of vessels engaged in international voyages.

The first attempt at unifying tonnage measurements was initiated in 1925 by the League of Nations. A draft convention with regulations was drawn up in 1937, but the outbreak of World War II postponed a proposed conference. In 1947, a convention based on the 1937 draft was adopted by 16 nations at Oslo, Norway. However, the rigid amending procedure of this convention made it impractical as a binding legal agreement.

In 1959, work on the unification of tonnage measurement was taken over by the Intergovernmental Maritime Consultative Organization (IMCO). After ten years of drafting proposals, IMCO convened an international conference which adopted the present convention. The convention was signed in London on June 23, 1969, and was submitted on June 15, 1972.

Major Provisions

The Convention consists of 22 articles and 2 Annexes, setting forth detailed regulations for determining gross and net tonnages of ships.

Contracting parties are obligated to give effect to the provisions of this Convention and its 2 Annexes (Article 1). Its provisions apply to all ships engaged on international voyages; new ships; existing ships which undergo such alterations as would result in substantial changes in their existing gross tonnage; existing ships if the owner should request; and to existing ships 12 years after the date on which the Convention comes into force even if the owner has not elected to have the Convention apply to his ships (Article 3).

The only vessels exempted from this Convention are warships and ships less than 79 ft. in length (Article 4).

The responsibility for the determination of gross and net tonnages rests with the flag nation (Article 6). That nation is required to issue an International Tonnage Certificate (set out in Annex II), the gross and net tonnage of which shall have been determined in accordance with the regulations in Annex I.

Contracting states, other than the flag nation, are permitted to inspect vessels to verify that ships have a valid certificate and that the main characteristics of the vessel correspond to the data given in the certificate (Article 12).

Other provisions provide for: the issuance of certificates, upon request, by non-flag states (Article 8); the cancellation of certificates (Article 10); and an amending procedure (Article 8).

Committee Action

The Committee held hearings on March 30, 1973 and received testimony from the following witnesses: Capt. Garth H. Read, Deputy Chief, Office of Merchant Marine Safety, U.S. Coast Guard; Charles I. Bevans, Assistant Legal Adviser for Treaty Affairs, Department of State; Lt. Cdr. Michael J. Jacobs, Office of Chief Counsel, U.S. Coast Guard; and Bob Alario, Chairman, Offshore Marine Service Association, New Orleans, Louisiana.

During those hearings, serious objections were raised by the offshore merchant marine industry and the States of Rhode Island and Massachusetts. As a result of this opposition, the U.S. representatives

in IMCO made a concerted effort to negotiate a solution to this problem. Consequently, the Twelfth Assembly of IMCO in September 1981 approved an interim scheme under which the offshore industries will be allowed to continue to build equipment to the same safety standards as presently authorized by domestic law and regulations.

The following entities have withdrawn their opposition to this Convention and/or urge the Senate to give its advice and consent to ratification thereof: Offshore Marine Service Association: American Waterways Operators; Commonwealth of Massachusetts; State of Rhode Island; American Tuna Boat Industry; and National Ocean Industries Association.

On August 10, 1982, the Committee considered this Convention and, by a voice vote, ordered that it be reported favorably to the Senate with an understanding for advice and consent to ratification.

Understanding

In 1972, the then-Acting Secretary of State, U. Alexis Johnson, recommended that the United States accept the Convention with the understanding that, in the assessment of tolls for transit of the Panama Canal, the United States will continue to be free to apply the present Panama Canal tonnage system or to adopt any other basis, including tonnages derived from volumes.

The following is a letter from the Panama Canal Commission reaffirming that position:

Panama Canal Commission,
Washington, D.C., August 6, 1982.

Hon. Charles H. Percy,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: It is my understanding that the Senate Foreign Relations Committee will, on August 10, 1982, begin debate on the ratification of the International Convention on Tonnage Measurement of Ships, 1969.

The Panama Canal Commission is currently conducting a study pertaining to the impact on tolls if the Universal Measurement System (UMS) were to be adopted. The outcome of this study will be a recommendation to the Board of Directors pertaining to UMS adoption. Therefore, in order to provide to the Commission the necessary flexibility to deal with this problem, it is requested that the Committee adopt the following understanding:

"Subject to the understanding that in the assessment of tolls for transit of the Panama Canal, the United States will continue to have the right to apply the present Panama Canal tonnage system or to adopt any other basis, in computing tonnages derived from volumes or other measures developed in connection with the said convention."

Due to the time constraints involved, the above information has not been cleared with the Office of Management and Budget; however, a copy of this letter has been provided to them.

If I can be of further assistance to the Committee in its deliberations on the Convention, I would be happy to do so.

Sincerely,

Michael Rhodes, Jr., *Secretary.*

Entry Into Force

The Convention states that it shall come into force 24 months after the date on which not less than 25 nations, the combined merchant fleets of which constitute not less than 65 percent of the gross tonnage of the world's merchant shipping, have signed without reservation or deposited instruments of acceptance or accession (Article 17). The Convention entered into force on July 18, 1982.

Text of Resolution of Ratification

Resolved, (*two-thirds of the Senators present concurring therein*), That the Senate advise and consent to the ratification of the International Convention on Tonnage Measurements of Ships, 1969, which was signed for the United States at London, June 23, 1969, subject to the following understanding: That in the assessment of tolls for transit of the Panama Canal, the United States will continue to have the right to apply the present Panama Canal tonnage system or to adopt any other basis, in computing tonnages derived from volumes or other measures developed in connection with the said convention.

APPENDIX

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., July 28, 1982.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The purpose of this letter is to urge the Senate to give its advice and consent to the International Convention on Tonnage Measurement of Ships, 1969. This Convention entered into force internationally on July 18, 1982. The Convention provides a uniform method for calculating the gross and net tonnages of vessels 79 feet and larger (24 meters) which engage on international voyages. The United States is not yet party to this Convention although it was submitted to the Senate for advice and consent to ratification in 1972 (92cd Congress, 2nd Session, Executive N, Docket 65–118 June 15, 1972). During the 1972 hearings the Administration favored ratification; however, because of objections voiced from some sectors of the U.S. marine industry, ratification has been deferred.

In the intervening years, these objections have been overcome. We are therefore most anxious that the U.S. Senate give its advice and consent on this treaty. The accommodations necessary to secure removal of industry objections are described in the enclosed background paper. In order to implement the Convention, draft legislation which adopts the Tonnage Convention as the basic U.S. tonnage measurement system for all new vessels of 79 feet and larger (whether or not they engage on international voyages) is being forwarded through this Department. Provision has also been made for the continued use of the existing systems to determine "regulatory" tonnages which may be used for both domestic and international regulatory applications. We do not feel that the legislation and ratification have to take place simultaneously because the flexibility contained within the Convention and the Interim Scheme (see background paper) are sufficient to protect U.S. interests. We do feel, however, that potential problems can occur if we are not party to the Convention at an early date.

I look forward to early advice and consent and have included a staff background paper to aid you in that process.

Sincerely,

DREW LEWIS.

Enclosure.

Background Paper on the International Convention on Tonnage Measurement of Ships, 1969

I. PURPOSE OF THE CONVENTION

A. Background.—During the 1969 Tonnage Conference held in London the major maritime nations developed a uniform method for determining gross and net tonnage for vessels of 79 feet and larger which engage on international voyages. The United States was very instrumental in the development of the Convention. Although the Convention was submitted to the Senate for advice and consent in 1972, consideration for its ratification has been delayed since then.

The Convention as drafted, represents a significant international accomplishment. Its drafters displayed considerable foresight in attempting to minimize the impacts and economic disparities that could be created by its coming into force.

The Convention enters into force on July 18, 1982, and will apply to all new vessels over 79 feet in length which engage on international voyages (the length figure is common to other maritime conventions). New vessels are defined as those which are built after the coming into force of the Tonnage Convention. All existing vessels, by definition those built prior to July 18, 1982, are grandfathered for 12 years. At the end of this transition period (July 18, 1994), their tonnages will be recalculated according to convention rules. For the purposes of other existing maritime conventions, however, these vessels are grandfathered for the life of the vessel.

B. Coming into force.—On July 18, 1980 Japan ratified the Convention and deposited its acceptance with the International Maritime Organization (IMO). Having met the necessary requirements that at least 25 nations representing at least 65 percent of the world's maritime tonnage ratify the Convention, the International Convention on Tonnage Measurement of Ships, 1969, will enter into force on July 18, 1982, whether or not the United States ratifies. There are currently 48 countries which have ratified the Convention.

C. Tonnage.—What is it?—Since the early days of the Republic the national administration has been assigning tonnages to ships in commerce. This provides the capability to charge port and canal fees and taxes against the ship. Tonnages subsequently have also been used to regulate vessels. For example, all commercial vessels of 5 net tons and larger are required to be documented as vessels of the United States.

D. Moorsom system.—The system the United States employs is based on the British Rules of 1854, more commonly known as the Moorsom system, which require the physical measuring of the internal capacity of a ship and the converting of these dimensions to gross tonnage and net tonnage. Gross tonnage is intended to provide an indication of a vessel's overall size, while net tonnage is intended to be a measure of its cargo or passenger carrying capacity.

E. Inconsistent application.—Prior to the 1969 Convention, the universally-accepted Moorsom method of tonnage measurement had been systematically subjected to a wide variety of interpretations. Therefore, in reality a uniform method did not exist internationally. Identical vessels registered under different flags could have their tonnages vary by 100 to 200 percent. This is particularly true for smaller vessels of about 250 feet and less.

II. CONTROVERSY SURROUNDING THE CONVENTION

A. Economic and regulatory impacts.—The controversy surrounding the adoption of the Tonnage Convention has revolved principally around the effect of its tonnages in relation to both domestic and international vessel design, construction and operating requirements since gross tonnage is often used as a parameter for determining applicability of these requirements. Initially, the vessel owner sought to reduce net tonnage so as to reduce the fees charged to the vessel. Subsequently, it became advantageous to attempt to reduce gross tonnages below certain critical levels in an effort to avoid regulatory impact. The 1969 Tonnage Convention inevitably will cause a substantial increase in tonnage of the many smaller vessels which have been designed with sophisticated tonnage reduction techniques (vessel owners and operators have regularly sought to legally reduce their vessels' tonnages in order to avoid the application of Coast Guard domestic licensing, manning and inspection standards). Many vessels with tonnage assignments of less than 100, 200, 300 or 500 gross tons, as measured under the present U.S. measurement systems, will have tonnages substantially over 500 gross tons and as much as 1,300–1,400 gross tons when measured under the Convention. This is not a problem for existing vessels which will be "grandfathered" but similarly-constructed new vessels (those built after July 18, 1982) will immediately be subjected to international requirements that existing vessels will avoid. This anomaly would place a premium on existing vessels since new, yet identical vessels, could be more severely regulated internationally. This potentially could depress the new construction market because new vessels could be subjected to a variety of new, costly construction and operational requirements.

B. Expedient interpretation.—In the United States the methods and procedures for determining tonnage have evolved, since the early days of the country, to a myriad of interpretations which have not always been based on sound design or construction practice. This has resulted in numerous decisions which have the end effect of assigning gross and net tonnages to certain U.S. vessels that are lower than other identical vessels measured by another national administration. By using a variety of sophisticated tonnage reductions schemes, identically-sized U.S. vessels can have similarly disparate tonnages.

C. International awareness.—These tonnage aberrations were not unique to the United States but the extent of U.S. reductions, particularly in our exclusion from gross tonnage of spaces devoted to the carriage of water-ballast and our treatment of passenger spaces, did not escape the view of major maritime nations that utilized differing tonnage reduction schemes.

D. *International regulation.*—International maritime safety conventions utilize gross tonnage as yardsticks or parameters to determine the applicability of the provisions of such conventions. As a result, the international maritime community identified a need to develop an international convention which would establish an internationally-accepted uniform system which will clearly define its methods and procedures to arrive at a calculation for tonnage.

III. ACTIONS TAKEN TO RESOLVE PROBLEMS

A. Since the Tonnage Convention will come into force internationally in *July 1982*, the U.S. Coast Guard under the auspices of the Department of State held a public meeting on September 9, 1981 to discuss the potential ramifications of ratification versus non-ratification and the potential options available to the United States. The concensus at the meeting was the Convention should be ratified by the United States only if some form of regulatory relief could be obtained which had international acceptance. There was an existing IMO resolution which provided regulatory relief but only for a limited period of time. This resolution, known as the "Interim Scheme," is described in a subsequent paragraph.

B. *Interim scheme for tonnage measurement of ships (A.389(X)).*—As early as 1977, various national administrations recognized the problems of incorporating the Tonnage Convention into their national laws. At that time it was anticipated that the Convention would come into force in 1980. In order to make the transition from the national systems to the Convention system and cause the least disruption, several nations proposed that an interim implementation period be established for new ships, whereby an owner, with the national administration's concurrence, could decide whether a vessel required to be measured under the Convention system should also be measured under the pre-existing tonnage system. After extended discussions IMO Resolution A.389(X) ("Interim Tonnage Measurement Scheme") was developed which in its simplest form permitted administrations to continue utilizing their existing national tonnage measurement methods until 1985. This had several limitations: First, it was applicable to new ships; and Second, the old (pre-existing) tonnage measurement system could only be applied to the Safety of Life at Sea (SOLAS) Convention in effect at the time.

C. *United States actions at the IMO Assembly—Amended Interim Scheme (IMO A.494(XII).*—At the Twelfth Session to the IMO Assembly, the United States was successful in its efforts in amending the Interim Scheme. The new document is IMO Assembly Resolution A.494 (XII), dated January 4, 1982. This resolution has the following effects:

(1) Notwithstanding the requiremnt that they be measured under the Tonnage Convention, all new cargo vessels of less than 1600 gross tons, as measured under existing systems, may use that tonnage for purposes of the application of the Safety of Life at Sea Convention (SOLAS) until July 18, 1944;

(2) Notwithstanding the requirements that they be measured under the Tonnage Convention, all new vessels, regardless of size, may also be measured under existing tonnage systems for purposes of SOLAS application until December 31, 1985.

The original U.S. proposal coupled the termination date of the interim scheme to completion of a study as to the continued validity of using tonnage as a regulatory parameter in international conventions. As negotiated, the proposal decoupled the study and established a 1986 date for completion of the study while terminating the interim scheme at the end of the Convention's twelve year transition in 1994. This represents a considerable achievement in that it permits more concise planning for implementation.

D. *Actions to be taken by the Coast Guard.*—Based on the discussions at the September 9, 1981 meeting of the Shipping Coordinating Committee, it is our intention to submit companion legislation which will maintain the status quo with respect to U.S. flag vessels.

Two tonnages can be determined:

1. A Register Tonnage as determined under the Convention rules. This tonnage will be used as the vessel's official national tonnage;

2. A Regulatory Tonnage based on the current tonnage systems now employed by the United States. This tonnage would be calculated for those owners who request it to determine the tonnages against which the vessel would be regulated (either under the provisions of the IMO Interim Scheme A.494(XII) for SOLAS applications or the present domestic regulations which deal with the licensing and manning standards and vessel inspection requirements).

CONCLUSION

The original objections that arose in the 1972 hearings have been overcome. During the initial hearings held in the early seventies, the Governors of Massachusetts and Rhode Island objected to U.S. ratification because several builders within those states perceived an adverse impact to the type of vessel built in their yards. After examining their objections, it has been determined that the Convention will not impact their builders. As a result, the Commonwealth of Massachusetts and the State of Rhode Island have recently withdrawn their objection. Great Lakes interest objected to the Convention's application on the lakes, correctly pointing out that vessels operating exclusively on the Great Lakes wer exempted from the Convention's provisions. Finally, representatives of the offshore marine service and tuna fishery industries objected to its ratification because of impacts to their vessels when they operated either domestically or internationally. The offshore industry has withdrawn their objection to the treaties and the tuna fish industries have not responded but informally have indicated their acquiescence.

The Coast Guard feels assured that every reasonable effort has been made to avoid undue impact to United States vessels because of the new Tonnage Convention. The availability of the extended Interim Scheme for regulatory applications internationally, together with our intent to maintain the present systems also for domestic regulatory applications, will enable us to achieve the objectives which we have sought.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS,
EXECUTIVE CHAMBER PROVIDENCE,
June 2, 1982.

Hon. CHARLES H. PERCY,
Chairman, Senate Committee on Foreign Relations,
Washington, D.C.

DEAR MR. CHAIRMAN: This letter will serve to notify the Senate Foreign Relations Committee that Rhode Island has withdrawn its opposition to ratification of the International Convention on Tonnage Measurement of Ships, 1969.

I have so informed Coast Guard Commandant John H. Hayes and Senators Pell and Chafee. My letter to Admiral Hayes is enclosed.

With best wishes, I am

Sincerely,

J. JOSEPH GARRAHY,
Governor.

Enclosure.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS,
EXECUTIVE CHAMBER, PROVIDENCE,
June 2, 1982.

Adm. JOHN B. HAYES,
Commandant, U.S. Coast Guard,
Washington, D.C.

DEAR ADMIRAL HAYES: This is to notify you that Rhode Island hereby withdraws its objection to ratification of the International Convention on Tonnage Measurement of Ships, 1969.

Rhode Island had originally withheld its endorsement of ratification in a letter from Governor Licht to Admiral W. J. Smith dated February 16, 1970. At that time Rhode Island was concerned with the detrimental impact that the tonnage measurement rules proposed in the new treaty would have on the small merchant marine industry. It was clear that while the Convention would have a beneficial effect on larger vessels, its impact on smaller vessels would have been harmful, unless necessary changes were made in Coast Guard regulations.

In the meantime, as you know, U.S. representatives in the Intergovernment Maritime Consultative Organization (IMCO) undertook to explore the possibilities of an international solution that would mitigate the harmful effects of the Treaty on the small boat industry. As a result of this effort, the Twelfth Assembly of IMCO in September, 1981, approved an interim scheme under which the offshore industries in an affected state could, for the purposes of the new Convention, determine the tonnage of their own vessels up to 1,600 tons. This interim scheme exempts the small boat industry from the application of the Convention until 1994. However, representatives of the small commercial vessel industry in Rhode Island expressed concern about the negative impacts that would result when the exemption expires in 1994.

Subsequent to the adoption of the interim solution by IMCO, my office has been assured by Coast Guard technical staff that the interim solution will never apply to members of the small merchant marine industry in Rhode Island.

Coast Guard technical staff has also advised my office that the new Treaty and the IMCO interim solution do not apply to the commercial marine passenger industry.

Members of the marine industry in Rhode Island have indicated to my office that they would not oppose a change by Rhode Island from a position of withholding endorsement of ratification to a position of not opposing ratification.

It is my further understanding that other states and national marine-related industries, as a result of the IMCO interim solution, have also

withdrawn their opposition to ratification of a Treaty which will, in any event, become effective in July.

Given these considerations, Rhode Island withdraws its opposition.

I am enclosing Governor Licht's letter of February 16, 1970, for your information.

With best wishes, I am

Sincerely,

J. JOSEPH GARRAHY,
Governor.

Enclosure.

OFFSHORE MARINE SERVICE ASSOCIATION,
New Orleans, La., January 20, 1982.

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PERCY: The Board of Directors of the Offshore Marine Service Association elected to *withdraw its opposition* to Ratification of the International Tonnage Convention 1969 at a January 6, 1982 meeting.

This decision was made in view of the actions taken by the United States Government, represented by the Coast Guard and State Department, at the Twelfth IMCO Assembly meeting at London in November, 1981.

That Assembly, influenced by the United States Government and industry members representing the Association, produced an "Interim Scheme" which will allow our industry to continue to build our equipment to the same safety standards as presently authorized under our National Regulations until 1994. Further, the mechanics exist to produce sensible standards that are realistic for future construction.

We feel these steps will allow the Offshore Marine Industry to remain the most vital part of our country's Maritime Construction Program.

The Association wishes to call our position to the Senator's attention in that the United States Coast Guard intends to bring the Convention forward for Senate consideration by April, 1982.

We should be happy to discuss any questions your staff may have.

Very truly yours,

Capt. W. A. MAYBERRY,
Executive Director.

MARITIME INSTITUTE FOR RESEARCH
AND INDUSTRIAL DEVELOPMENT,
Washington, D.C., December 3, 1981.

Hon. CHARLES H. PERCY,
Chairman, Senate Foreign Relations Comittee,
Washington, D.C.

DEAR CHAIRMAN PERCY: The International Convention on Tonnage Measurement of Ships, 1969, (TM 1969) will enter into force on 18 July 1982 for Governments which have deposited an instrument of acceptance of, or accession to, the Convention prior to 18 April 1982.

The United States is not one of the 47 countries which have deposited such an instrument; however, many of its trading partners have. The U.S. will be conspicuously missing if it is not a party to the Convention upon its entry into force. More importantly, the effect of inaction could result in non-recognition of U.S. Tonnage Certificates unless separate mutual agreements are obtained one by one from each trading partner. Of course, parties to international conventions are usually reluctant to enter into such separate agreements with non-parties as this may give the appearance of giving more favorable treatment than fforded to the other parties.

If the U.S. does not ratify and accept or accede to this Convention prior to its entry into force, all U.S.-flag merchant vessels calling at ports of countries parties to TM 1969 will be subject to extensive delays on voyages to each of such party countries while each such vessel is measured to determine the proper tonnage tax or other related obligation under the laws of each such country. Delays of that kind would seriously jeopardize the financial well-being of an already ailing U.S. industry and could eliminate what is left of our minuscule merchant fleet.

The 1969 Tonnage Measurement Convention was transmitted by letter from President Nixon and first read on 15 June 1972 recommending that the Senate give its advice and consent to acceptance. (Reference 92nd Congress, 2nd Session, Executive N). The letter of submittal and the official report of the U.S. delegation to the Conferennce give detailed discussion of the participation by the United States and its influence on the outcome of the Conference.

More recently the 12th session of the Intergovernmental Maritime Consultative Organization (IMCO) adopted three resolutions relating to the 1969 Tonnage Measurement Convention. Two of these resolutions contain recommendations which affect application of the Convention to U.S. ships. The first contains a paragraph which: "Recommends Parties to the 1969 Tonnage Convention having mutual agreements on recognition of tonnage certificates with States not party to that Convention to consider limiting such agreements to existing ships."

If followed, this Resolution would prevent entry into bilateral agreements to supplant TM 1969 and would effectively delay any ship not issued a TM 1969 Certificate. Such action would result in greater economic disadvantage to the U.S. merchant marine than it already suffers. The second resolution contains a provision, proposed by the U.S. delegation, which will allow until 18 July 1994, new cargo ships of less than 1,600 tons gross tonnage to be measured under the existing national systems for application of the regulations of the International Convention for the Safety of Life at Sea. This will permit the Organization (IMCO) time to review the continued use of tonnage as a regulatory criterion for other than tonnage purposes. This period of grace will maintain the current application of requirements to ships of the offshore services industry rather than arbitrarily impose additional requirements as a result of a new measurement system. This was designed to reassure the M & O industry (supplying transportation services for supplies and personnel to offshore exploration and drilling stations) that the TM 1969 would not disadvantage it.

In light of these resolutions it is now appropriate to ensure that the U.S.-flag fleet is not singled out in foreign ports for discrimination because its ships are not measured under a universally accepted system. The member maritime companies of MIRAID, comprising nearly 100 companies covering all segments of foreign and domestic service, urge that your committee report to the Senate this Convention thus taking the initial step necessary to make it possible for the United States to deposit its instrument of acceptance to the 1969 Tonnage Measurement Convention in time for its entry into force on 18 July 1982.

Sincerely,

JULIAN H. SINGMAN.

NATIONAL MARITIME COUNCIL,
Washington, D.C., November 30, 1981.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am writing on behalf of the National Maritime Council to urge favorable consideration by the Senate Foreign Relations Committee of two international conventions affecting commercial shipping which have been submitted by the President to the Senate for its advice and consent. These international agreements are the Convention on Tonnage Measurement of Ships, 1969, and the Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978.

The NMC is a nonprofit trade association which represents virtually all segments of the American maritime industry, namely, U.S.-flag liner and bulk carriers, sea-going and shoreside labor unions and major shipbuilding and ship repair yards. The Council's objective is to foster the development of a strong, competitive, modern, American-built, privately-owned and -operated U.S.-flag merchant marine which will afford United States exporters and importers the finest and most cost-efficient fleet of commercial vessels in the world.

The Convention on Tonnage Measurement of Ships, which was negotiated under the auspices of the Intergovernmental Maritime Consultative Organization, undertakes to formulate a universally acceptable system of tonnage measurement closely approximating the various national tonnage measurement systems in existence. The tonnage measurement of a ship produces two figures. The first, gross tonnage, gives an overall indication of the size of the ship. This figure is used as a basis for comparing ships in connection with the administration of national and international laws, statistics, drydocking charge schedules, and the like. The second, net tonnage, gives a measure of the cargo and passenger carrying capacity of the ship. This figure is used as a basis for assessing tolls, port dues, tonnage duties, and so on.

The Convention embodies uniform principles and rules designed to establish a system of measurement which eliminates duplication in the work of measuring ships. It should simplify the movement of vessels in and out of ports of the world and avoid economic inequities between ships of various nationalities.

The Convention will enter into force on July 18, 1982 having been accepted by more than 25 States (47) whose combined merchant fleets constitute more than 65 percent of the gross tonnage of the world's merchant shipping. The United States has signed the Convention subject to ratification by the Senate. Unless the United States deposits its instrument of acceptance before April 18, 1982, the United States will not be a party to the Convention when it enters into force. On June 15, 1972, former President Nixon submitted the Convention by letter of transmittal to the Senate for its advice and consent.

The Convention on Standards of Training, Certification and Watchkeeping for Seafarers, also negotiated under the auspices of IMCO, establishes, for the first time, internationally agreed mandatory minimum standards for training and certificating deck, engineer and radio officers and ratings forming part of a watch. (It does not address the issue of manning levels of merchant vessels.) The technical provisions of the Convention are contained in an Annex which is divided into three main sections—deck, engine, and radio departments. They deal with basic principles which are to be observed in keeping a navigational watch, an engineering watch, and radio watchkeeping coupled with maintenance. Regulations are also designed to insure the continued proficiency and updating of knowledge of seafarers and go into considerable detail and outline of training syllabi. Another chapter provides mandatory minimum requirements for the issuance of Certificates of Proficiency in the use and operation of survival craft.

The Convention should result in more highly trained seafarers, which in turn, enhance the safe operation of merchant vessels. It should also promote the safety of life at sea and the protection of property and the marine environment. It should be noted that existing standards in U.S. law exceed those contained in the Convention. Thus, the Convention will not require any changes in U.S. law.

The Convention will enter into force twelve months after the date on which instruments of ratification, acceptance, approval or accession are deposited by 25 States whose combined merchant fleets constitute more than 50 percent of the world's gross tonnage of ships 100 gross registered tons or more. To date, twelve States with approximately 30 percent of the world's gross tonnage have deposited their instruments. The United States, which has signed the Convention subject to ratification, is awaiting the advice and consent of the Senate before the President can deposit an instrument of ratification. On August 10, 1979 former President Carter submitted the Convention by letter of transmittal to the Senate for its advice and consent.

In conclusion, the National Maritime Council strongly recommends that the Committee on Foreign Relations take favorable action on these two international conventions.

Sincerely,

H. R. DEL MAR,
M/General USA (Retired),
Executive Secretary.

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97TH CONGRESS
2d Session

SENATE

EXECUTIVE REPT.
No. 97-58

CONSERVATION OF SALMON IN NORTH ATLANTIC OCEAN

AUGUST 13 (legislative day, JULY 12), 1982.—Ordered to be printed

Mr. PERCY, from the Committee on Foreign Relations, submitted the following

REPORT

[To accompany Treaty Doc. 97-25]

The Committee on Foreign Relations, to which was referred the Convention for the Conservation of Salmon in the North Atlantic Ocean, signed in March 1982 by the United States, Canada, the European Community, Iceland, and Norway, having considered the same, reports favorably thereon without amendment and recommends that the Senate give its advice and consent to ratification thereof.

PURPOSE

The Convention for the Conservation of Salmon in the North Atlantic Ocean was signed in March 1982 by the United States, Canada, Denmark, the European Community, Iceland, Norway and Sweden. Its purpose is to conserve, restore and manage the salmon stocks of the North Atlantic Ocean.

BACKGROUND

Atlantic salmon from nations bordering the North Atlantic Ocean annually migrate to the waters off Greenland to feed before returning to natal rivers to spawn and renew the life cycle. In the years 1964–1972, the Danes, Norwegians and Faroese increased the Greenland "high-seas" fishery to a point where scientists feared for the survival of the species. Catches in home waters plummeted to record lows. A movement spearheaded by the private sector in the United States working closely with the U.S. government secured the U.S.-Danish Atlantic Salmon agreement of January 1972, which phased out the "high-seas" fishery by 1976 and established an 1,190 ton quota on the "inshore" fishery by native Greenlanders. This was later incorporated into an ICNAF (the International Commission for Northwest Atlantic Fisheries) agreement.

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After the termination of ICNAF in 1976, the Atlantic salmon was left without protection. There are international treaties for other highly migrating species, the tunas, the whales, the seals, and Pacific salmons, but none for the Atlantic salmon.

In 1975, a private organization entitled the Restoration of Atlantic Salmon in America, Inc. (RASA) became the first to call for a multilateral treaty. By 1978, the efforts of this group persuaded the U.S. Department of State to introduce a draft of a convention for comment by interested nations. Since then, five meetings of interested parties were held, in Washington, Brussels, Ottawa, Oslo and Geneva. A diplomatic conference held in Reykjavik in January 1982 produced a final convention.

The Convention applies to salmon stocks which migrate beyond areas of fisheries jurisdiction of coastal nations of the Atlantic Ocean north of 36 degrees north latitude throughout their migratory range. It is designed to control and manage the high seas interception of salmon before they return to their rivers of origin. The following is the manner in which the agreement hopes to achieve its purpose.

First, fishing beyond 12 miles of the coast would be prohibited except in the case of Greenland and the Faroe Islands. This restriction would not affect U.S. fishing patterns because there are no salmon fisheries now operating beyond 12 miles from our coast, and none are expected to become viable for decades.

Second, the Convention will establish a new organization consisting of a council and three regional commissions to promote and coordinate conservation, restoration and scientific investigation of salmon in the North Atlantic Ocean. These regional commissions will be empowered to adopt proposals to regulate the interceptions by one country of salmon originating in rivers of other countries. Again, this will not lead to limits on United States fishermen because the United States does not intercept salmon of foreign origin.

The expected result of these measures is that more salmon will return to spawn in their rivers of origin—not just in the United States but in Canada, Iceland, Norway, Sweden, the United Kingdom and elsewhere.

The Committee notes that U.S. salmon interests are in favor of this Convention. The Committee has received letters of support from the following organizations: Restoration of Atlantic Salmon in America, Inc.; National Coalition for Marine Conservation, Inc., and the Connecticut River Salmon Association. Statements in support of this Convention are contained in the appendix to this report. The Committee is not aware of any opposition to this Convention.

Committee Action

The Committee met on August 10, 1982 to consider the Convention for the Conservation of Salmon in the North Atlantic Ocean. At that time, it accepted various statements from the Administration and public groups in support of this Convention (see appendix). By a voice vote, the Committee unanimously agreed to favorably report a resoltuion of advice and consent to the ratification of the Convention.

In taking this action, the Committee believes that it is extremely important for the Convention to enter into force at the earliest possible time. However, the Committee also recognizes the importance

to the United States and Canada that adequate conservation measures be maintained in the West Greenland salmon fishery for 1983 while the structure of the salmon organization created by the Convention is being established. Therefore, the Committee takes note of the ongoing efforts of the Department of State in working with Canadian and European officials to achieve both objectives and urges the Department to intensify their efforts to achieve the earliest possible entry into force of this Convention.

Major Provisions

Article 1 states that the Convention shall apply to salmon stocks which migrate beyond coastal State fishery jurisdiction zones in the North Atlantic Ocean. It would apply to migrating salmon throughout their range, including within their rivers of origin, but would not apply to nonmigrating stocks, such as salmon which are farmed. Article 1 also contains the standard proviso that the Convention is made without prejudice to the positions of the Parties regarding the extent of fisheries jurisdiction or the law of the sea.

Article 2(1) prohibits salmon fishing beyond areas of fisheries jurisdiction of coastal States. This prohibition is significant, for it incorporates in a multilateral treaty the concept, long supported by the United States, that salmon fishing should not be conducted on the high seas beyond areas of coastal State fisheries jurisdiction. Although the Convention does not in itself prohibit such high seas fishing by nationals of non-Parties, it will contribute to the development of such a principle in customary international law.

Article 2(2) prohibits high seas salmon fishing within areas of coastal State fisheries jurisdiction, beyond 12 miles from the baselines from which the territorial sea is measured. This will reduce the incident of interceptions of salmon originating in other States. There are special exceptions for Greenland and the Faroe Islands.

Article 3 establishes the North Atlantic Salmon Conservation Organization (NASCO), which shall consist of a Council, three Commissions, and an administrative Secretary. The Commissions are divided by area: North America, West Greenland and the North-East Atlantic.

Article 4 describes the functions of the Council. The key functions are, first, to provide a forum for discussions among Parties of matters concerning North Atlantic salmon and, second, to direct the overall operation of NASCO. In addition, although regulatory decisions are left to the Commissions, the Council may make nonbinding recommendations to the Parties and Commissions on regulatory measures and other matters.

Articles 5 and 6 deal with the composition and operation of the Council. Each Party is a member of the Council and has one vote in Council proceedings. Council decisions require a three-quarters majority vote.

Articles 7 and 8 set forth the terms of reference for the three Commissions. Since membership in the North American Commission is restricted to the United States and Canada, it was possible in Article 7 to set slightly different terms of reference for this Commission than the terms set by Article 8 for the West Greenland and North-East

Atlantic Commissions. Basically, however, the three Commissions are structured alike. The Convention invests the Commissions, not the Council, with regulatory authority. Each Commission has the power to propose regulatory measures for salmon fishing in the area of fisheries jurisdiction of a Commission member which harvest salmon originating in the rivers of other Parties. Thus, the Commissions may propose regulations for intercepting salmon fisheries: they may not propose regulations for fisheries of one Party which harvest salmon bound for that Party's own rivers. Since the United States intercepts virtually no salmon bound for foreign rivers, it is highly unlikely that regulatory measures will be proposed for salmon fisheries in United States waters. Note that the Convention provides elsewhere that all Commission decisions are made by unanimous vote; and that the affected Party has in each case a right to stop Commission proposals from becoming binding.

In addition to making regulatory proposals for their respective areas, the Commissions shall serve as forums for consultation and cooperation among their members on matters concerning Atlantic salmon, and shall make recommendations to the Council concerning the undertaking of scientific research.

Paragraph 2 of Article 7 directs the United States and Canada to minimize by-catches of salmon originating in each other's rivers. This provision is directed at Canada, where by-catches of salmon are quite high, and not at United States fisheries, which do not intercept foreign salmon. Finally, paragraph 3 states that fishing patterns in salmon fisheries in the North American Commission area shall not be altered in a manner that increases interceptions, except with the consent of the State of origin. Since few salmon spawning in other States are ever present in the United States fishery conservation zone, this provision is not expected to affect United States fishing patterns.

Article 9 requires the Commissions in fulfilling their functions to take into account certain factors, such as the best available scientific information and the interests of communities which are particularly dependent on salmon fisheries. It is important to note that the Commissions are also directed to take into account the contributions of States, both States of origin and intercepting States, to the conservation of salmon stocks. Presumably such contributions would affect the regulatory measures proposed by the Commissions. This should encourage affected States to invest in salmon conservation, whether by capital expenditures such as the construction of hatcheries or fish ladders, or by limiting catches. Article 9 also directs the Commissions to take into account "the relative effects of harvesting salmon at different stages of their migration routes." This directs the Commission to consider the disadvantages of high seas salmon fisheries, i.e., that such fisheries unavoidably harvest mixed stocks, and thus impede rational management, that salmon caught on the high seas yield less meat than salmon caught at the end of their migration routes, and that, in the case of the Atlantic salmon, in-stream recreational fisheries may produce more economic benefit than high seas commercial harvesting.

Article 10 concerns membership in the Commissions. The United States shall be a member of the North American and West Greenland

Commissions, and may participate as an observer in the deliberations of the North-East Atlantic Commission.

Article 11 concerns the rules of procedure in the Commissions. Most importantly, all decisions of the Commissions must be taken by unanimous vote. Normally only Commission members may vote, but the EC may also vote in the North American Commission on any proposals for regulatory measures affecting European origin salmon. Similarly, Canada and the United States may vote on regulatory proposals of the North-East Atlantic Commission affecting salmon stocks originating in their countries and occurring off East Greenland.

Article 12 provides for the appointment of a Secretary, who shall be the chief administrative officer of NASCO.

Article 13 states that regulatory measures proposed by the Commissions shall become binding on Commission members 60 days after formal notification to the members, unless an objection is lodged. Only the member in whose area of fisheries jurisdiction the measure would apply is entitled to lodge an objection. Once the 60 day objection period has passed, the measure becomes binding on all members. After one year has passed, the member in whose area of fisheries jurisdiction the measure would apply has the right to terminate the measure by filing a denunciation.

Article 14 obligates each Party to take the necessary action to implement the Convention and the regulatory measures. The implementing legislation necessary to assure United States compliance with this obligation will be proposed to Congress later for its consideration.

Article 15 requires the Parties to provide the Council with relevant information, including catch and other statistics, scientific information, and laws and regulations.

Article 16 concerns the budget for NASCO. The Convention adopts a budget formula which does not unfairly exaggerate the size of the United States contribution. Thirty percent of the budget shall be divided equally among the Parties. The remaining 70 percent shall be divided in proportion to each Party's salmon catches. Since United States Atlantic salmon catches are still small in comparison to those of other countries, the total United States share of the annual budget will be about 5 percent.

Article 17 opens participation in the Convention to Canada, Denmark in respect of the Faroe Islands, the European Economic Community, Iceland, Norway, Sweden and the United States of America. Other States which exercise fisheries jurisdiction in the North Atlantic, or are States of origin for salmon stocks subject to the Convention, may accede to the Convention, if approved by the Council. The Convention shall enter into force following the deposit of instruments of ratification or accession of at least four Parties, provided certain conditions are satisfied. The result is that the Convention cannot enter into force without the participation of the United States, the European Economic Community and Canada.

Article 18 provides that the Convention will apply to the territories incorporated in the European Economic Community.

Under Article 19, amendments to the Convention require the unanimous vote of the Council as well as the deposit by each Party of an instrument of ratification or approval to the amendment.

Article 20 permits any party to withdraw from the Convention on December 31 of any year after giving at least six months notice.

Article 21 designates the European Economic Community as Depositary for the Convention.

Text of Resolution of Ratification

Resolved, (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Convention for the Conservation of Salmon in the North Atlantic Ocean, signed in March 1982 by the United States, Canada, the European Community, Iceland, and Norway.

APPENDIX

U.S. SENATE,
COMMITTEE ON FINANCE,
Washington, D.C., August 9, 1982.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE: This week you will consider and act upon the "Convention for the Conservation of Salmon in the North Atlantic Ocean." This is an important international agreement which will assist those individuals, oragnizations and governments involved in the continuing effort to restore the Atlantic Salmon (*Salmo Salar*) to the great waterways of New England and of the British Isles and northern Europe.

I write to you today to urge your support for a Resolution of Ratification on this Convention.

The Atlantic Salmon has been recognized throughout history as one of our earth's most unique species. A native of the North American and European continents, it is prized by anglers and revered by those who treasure our natural resources. Over two thousand years ago, the Roman naturalist Pliny claimed that "the salmon surpasseth all the fishes of the sea."

The Atlantic Salmon played an active role in the history of the American northeast. The Indians and earlier settlers valued the salmon as food. In the 1600's, Connecticut Valley families who salted the fish for market created a demand which spurred increased harvesting. However, until the early 1800's, salmon remaind plentiful. For instance, it was not uncommon in colonial times for New England farmers to fertilize their fields with salmon, or for indentured servants' contracts to contain clauses stipulating how many salmon meals each week their employers could provide.

The 1800's heralded the beginning of a long and serious decline in Atlantic Salmon stocks, both in Europe and the United States. With a prescience which few others possessed, Charles Dickens in 1861 commented on the deteriorating situation:

"The cry of "Salmon in Danger! is now resounding throughout the length and breadth of the land. A few years, a little more overpopulation, a few more tons of factory poisons, a few fresh poaching devices . . . and the salmon will be gone . . . he will become extinct.

"Shall we not step in between wanton destruction . . . and so ward off the obliquy which will be attached to our age when the historian of the 1960's will be forced to record that the inhabitants of the last century destroyed the salmon, and did much to injure other species of fish now so rare in this country." (*All the Year Round*, July 20, 1861).

The trends identified by Dickens on his side of the Atlantic were also developing on our side. The Atlantic Salmon became engaged in a difficult battle with the industrial revolution's dual need for energy and a place to dispose of wastes. New England's magnificent rivers, the aquatic habitat of the Atlantic Salmon, sadly met both requirements.

By 1810, Atlantic Salmon were virtually extinct in the Connecticut River. By the close of the Civil War, they had disappeared from the Merrimack River.

The situation in Maine was similar to that in its neighboring states to the south, although the damage was felt somewhat later. The logging industry, with its river drives and sluice dams, contributed to the disappearance of the Atlantic Salmon in my state. By the turn of the century, the Penobscot and the Dennys Rivers were the only major waterways which supported Atlantic Salmon to a significant degree.

"Old Timers" in Maine like to recall that beginning in the Administration of President William Howard Taft, the first Atlantic Salmon caught by an angler in the Penobscot's famed Bangor Salmon Pool was presented to the President of the United States. This tradition was continued through the Administration of President Harry S. Truman. The rod catch in the Penobscot began to fall off in the 1930's and 1940's. Twenty-five years ago, in 1957, no salmon were caught in the Penobscot.

The Convention which your committee will consider this week is an important element in an effort to reverse the trend which I have described. This effort has been in existence in the State of Maine since 1948 when the Maine Legislature established the Maine Sea Run Salmon Commission. The purpose of this body is to promote, design, and direct the construction of fish runs on rivers which can support the Atlantic Salmon. Thanks to the hard work of this Commission, private organizations, sportsmen, Maine-based industries, and the Federal government, Maine now has substantial salmon runs on eight maior waterways: The Union, Narraguagus, Dennys, Machias, East Machias, Pleasant, Sheepscot, and Penobscot Rivers.

The effort to restore the Atlantic Salmon to the Penobscot has been particularly heartening. In 1980, 837 adult salmon were caught on the Penobscot. This surpassed a record set in 1886. In addition to the rod catch, some 2400 Atlantic Salmon were "taken" by fish and game officials at the Penobscot's Veazie Dam. Of this number, 500 were utilized as brood stock in nearby hatcheries and the remainder were released upstream. The 1981 run was similarly abundant. Penobscot eggs are now being used to repopulate other New England rivers.

Interest in the preservation and restoration of the Atlantic Salmon has grown enormously in recent years. Thanks to the concerted efforts of organizations such as the Restoration of Atlantic Salmon in America (RASA), the Atlantic Salmon Trust (AST), the International Atlantic Salmon Foundation (IASF), and Trout Unlimited (TU), officials of the Federal government, as well as independent fisheries biologists, have sought to unravel some of the many mysteries which surround the species.

Until the mid-1960's, neither Americans nor Europeans were aware that Atlantic Salmon native to their rivers had a common feeding

ground in the Davis Strait between Greenland and Baffin Island. Once this Salmon-rich area was discovered, an intensive high-seas gill net fishery was developed by the Danes, Norwegians, and the Faroese.

The Danish high sea netting of Salmon quickly got out of hand. Denmark, which has no salmon rivers of its own, by 1976 was taking over 2,000 metric tons—50,000+ fish—each year. The result of this uncontrolled commercial harvesting soon resulted in a decline of salmon returning to the rivers of New England, the Canadian Maritime Provinces and Europe.

Fortunately Denmark bowed to international pressure, and agreed to phase out the high sea fishery. Furthermore, it agreed to substantially limit salmon fishing with fixed gill nets within 12 miles of Greenland's coast.

Between 1972 and 1976, the International Commission on Northwest Atlantic Fisheries (ICNAF) provided a measure of protection for salmon when on the high seas. ICNAF, however, was terminated when the United States and many other fishing nations extended their domestic fisheries jurisdiction to 200 miles.

Since 1976, no mechanism has existed under which the annual catch of salmon on the high seas can be effectively controlled. The Convention before the Committee today fills this legal and jurisdictional void. The three commissions established by the Convention (North American Commission, West Greenland Commission, and Northwest Atlantic Commission) will propose conservation regulations on salmon spawned in this country but caught in another's waters before they can return to their spawning grounds. Moreover, the commissions will provide a forum for discussions concerning the success and failure of restoration efforts, and will consider what scientific research on the species may be needed.

The Pelly Amendment, enacted into law by the United States in 1971, provides a means by which the United States can encourage compliance with the decisions reached by the three commissions. The Pelly Amendment permits the President to ban imports of fish from nations contravening international conservation programs.

Mr. Chairman, the Convention on the Conservation of Salmon in the North Atlantic Ocean will permit U.S. salmon restoration efforts to go forward, and will insure that future generations here and in Europe have the opportunity to marvel at, and wisely harvest this magnificent fish. I urge the Committee to act favorably on the Convention, and to recommend that the full Senate give the advice and consent necessary for the Convention's ratification.

With highest regards,

Sincerely,

GEORGE J. MITCHELL,
U.S. Senator.

STATEMENT OF CONGRESSMAN DAVID F. EMERY

I am pleased to have the opportunity to lead my support to approval of the multi-lateral Atlantic Salmon Treaty which President Reagan recently submitted for the advise and consent of the Senate.

The intent of the Treaty, whose signatories are the United States, Canada, the European Community, Iceland, and Norway, is to

establish an international framework for the nations which share the problem of conserving the Atlantic salmon. The treaty proposes to prohibit the fishing of this species outside of twelve miles of each signatory's territorial sea in an effort to consolidate international efforts to properly manage the Atlantic salmon fishery.

The Treaty also establishes three Commissions whose functions are to propose regulations for the appropriate management of that fishery. This is an important component of the Treaty because Atlantic salmon know no boundaries and adhere to no one Nation's jurisdictional requirements. As a transboundary stock, then, it is necessary to provide the framework within which salmon originating in the United States, for example, and intercepted in Canada, can be accounted for and conservation plans established accordingly.

While there is much scientific information lacking about the nature of this particular specie of fish, we do know that about 200 years ago rivers in Northeastern America were abundant with salmon. Since then, pollution and other forces of development inflicted extensive damage on the resource to the point where the Atlantic salmon was almost extinct. In the past ten years or so, the United States has invested a good deal of money into the restoration of this valuable fishery, and the results have been outstanding. This has occurred as a result of great cooperation among Federal agencies, State offices, private industries and concerned sportsmen most of all.

The approval of the Atlantic Salmon Treaty is especially significant in light of the tremendous time and money spent to ensure the existence of the specie in rivers in Maine, New Hampshire and Connecticut. United States involvement in the international preparation of resource management plans is essential if our own, newly restored fishery is to be protected.

I urge the favorable approval of the Treaty by this Committee and by the Senate as a whole.

STATEMENT OF RICHARD A. BUCK, CHAIRMAN, RESTORATION OF ATLANTIC SALMON IN AMERICA, INC. (RASA), ON THE NORTH ATLANTIC SALMON CONVENTION, WASHINGTON, D.C.—AUGUST 10, 1982

Mr. Chairman, and Members of this Committee: My name is Richard Buck, a Member of The Ocean Affairs Advisory Committee, United States Department of State, and of The U.S. Negotiating Team on Atlantic Salmon. I am also Chairman of Restoration of Atlantic Salmon in America, Inc., known as "RASA." RASA is the organization that developed the concept of a multilateral treaty for Atlantic salmon, and has been deeply involved in this effort from the beginning.

I appear to testify in favor of the proposed North Atlantic Salmon Convention.

Atlantic salmon from nations rimming the North Atlantic Ocean migrate to the waters off Greenland to feed before returning to natal rivers to spawn and renew the life cycle. All along the migration routes, these fish have been and are subject to heavy interceptions, in the form of ocean netting, both legal and illegal. In the years 1964–1972, the Danes, Norwegians and Faroese escalated a Greenland "high-seas" fishery to a point where scientists feared for the survival of the

species. Catches in the home waters of the salmon-producing nations plummeted. A movement spearheaded by the private sector in the United States, working closely with the U.S. government, secured the U.S.-Danish Atlantic Salmon Agreement of January, 1972, which called for phasing out the "high-seas" fishery by 1976, and establishing a 1190 ton quota on the "inshore" fishery by native Greenlanders. This Agreement was later in 1972 incorporated verbatim into an ICNAF (the International Commission for Northwest Atlantic Fisheries) Agreement. The terms of this Agreement were, in general, adhered to.

But then ICNAF was terminated in 1976, leaving the Atlantic salmon without protection in the ocean. There are international treaties for those other highly migratory species, the tunas, the whales, the seals, and Pacific salmons, but none for the Atlantic salmon.

In 1975, our organization RASA became the first to call for a multilateral treaty, and by 1978 it had pursuaded the U.S. Department of State to introduce the draft of a Convention to interested nations. Since then, five Working Group Meetings of the Consultative Parties have bene held, in Washington, Brussels, Ottawa, Oslo and Geneva. A full Diplomatic Conference in Reykjavik, Iceland, produced the Final Act on January 22, 1982, which adopted a "Convention on the Conservation of Salmon in the North Atlantic Ocean," with votes of the following: The United States, Canada, Iceland, Norway, Denmark (for The Faroe Islands), and the European Economic Community (EEC), acting for its ten member states (of which the United Kingdom, the Republic of Ireland and France are producers and harvesters of salmon, and Denmark only a harvester).

There are four principal reasons why the United States should ratify this treaty.

First, stocks of salmon in the North Atlantic Ocean are interdependent, and thus the present overexploitations on one side of the Atlantic have their indirect effect on the other. What RASA calls "The Wishbone Principle of Atlantic Salmon Exploitation" provides the rationale for a multilateral approach. If an imaginary "wishbone" is superimposed on a map of the North Atlantic Ocean, with Danish Greenland as the apex, then Laborator, Newfoundland, Nova Scotia, and New England waters become the left-hand "migration bone," and Ireland, Scotland, England, France and Spain waters the right-hand "migration bone." These are the routes followed by the salmon returning to home waters.

Greenland for the foreseeable future will continue to insist on taking a fixed quota of Atlantic salmon annually, in return for permitting these fish to forage in its waters. So, if Canada permits the "migration bone" to be cracked through overfishing, for instance, fewer Canadian and United States salmon would be going to Greenland, and Greenland would be filling a greater percentage of its quota from European stocks. Thus, the European Community nations want a chance to comment on the impact of Canadian domestic management measures on the number of fish available off Greenland. The opposite also applies. If Ireland, for instance, overexploits, Greenland then fills its quota in larger measure from the Canadian and United States components, so Canada and the United States need an international forum in which this inequity can be addressed.

It is this interdependence, this "Greenland connection," that makes multilateral agreement and action necessary, rather than the current fashion of short-term, ad hoc, regional fisheries agreements, which are self-serving, often conflicting, and constantly subject to the winds of political change.

Another reason for U.S. commitment to the treaty is that the United States has a rapidly growing Atlantic salmon resource to protect. Once plentiful in the rivers of New England, the Atlantic salmon had virtually disappeared by the middle of the Nineteenth Century, due to river pollution and the building of dams for hydroelectric power. Then, some hundred years later, in 1967, a Compact of Federal and State Governmental Agencies undertook to restore salmon runs. To date, more than $149,000,000 has been spent under this program on the construction of Fish Hatcheries and Fishways, and on management. This is exclusive of the hundreds of millions of dollars invested by industry and municipalities in water- and sewage-treatment plants on rivers under Atlantic salmon restoration programs. Pollution has been reduced to a point where salmon can inhabit, migrate and spawn in the rivers. These efforts of the private sector, government and industry have been successful, and there are now substantial and increasing runs of salmon in the rivers under restoration.

This program is still in its infancy. Yet already it can be said to be successful. On the Penobscot River in Maine, for instance, this year as many as 1,000 people a day have been known to fish for the salmon returning there. Thus, a substantial restoration will bring long-term economic and social benefits of great value to the United States.

A third reason for approval of the treaty is that the world resource is in serious trouble. Now, in place of the Greenland overkill of the 1960's, almost all of the major producing nations of the North Atlantic community in recent years have permitted an equally damaging escalation. This has served to continue the long downward trend in the world catch in home waters of the producing nations. In 1967, the peak year, 10,417 metric tons were taken. By 1981, the catch had fallen to 7,301 metric tons—a drop of over 30 percent in 15 years.

A final reason for ratification is the fact that the treaty has been a U.S. effort all the way. Americans originated the concept, introduced the draft, controlled the negotiating process in the face of resistance, and made the final moves that enabled the Diplomatic Conference to be convened, and the Convention adopted. The Atlantic salmon nations look to the U.S. to continue to lead the way.

It is not unrealistic to prophesy that, unless present trends are sharply reversed, the species Atlantic salmon will, in the not too distant future, become, not necessarily extinct, but so exhausted as to be of no practical use to man. Not much of a legacy to leave to future generations. A growing world population requires more, not less, protein. More, not less, opportunity for recreation. And the proposed treaty offers the most practical and rational means of persuading nations to conserve and restore the stocks.

Mr. Chairman, allow me to express my appreciation for being granted the privilege of appearing before this distinguished Committee. Thank you.

RICHARD A. BUCK.

STATEMENT OF FRANK E. CARLTON, M.D., PRESIDENT, NATIONAL COALITION FOR MARINE CONSERVATION, SAVANNAH, GA.

Chairman Percy, Senator Baker and Members of the Committee: As President of the National Coalition for Marine Conservation, I appreciate the opportunity to make a statement concerning ratification of the Convention for the Conservation of Salmon in the North Atlantic Ocean. The National Coalition for Marine Conservation (NCMC) is a registered lobby concerned with marine fisheries conservation issues. The NCMC represents some 25,000 anglers, has formal associations with most of the angling organizations in the United States through interlocking directors and advisors and has worked closely with the other U.S. organizations concerned with salmon.

I personally was appointed by President Gerald Ford to be a U.S. Commissioner to the International Commission for the Conservation of Atlantic Tunas (ICCAT) and have served in that capacity since 1976. I have also served on the Marine Fisheries Advisory Committee (MAFAC) to the Department of Commerce and contniue to be a member of the Fisheries Affairs Committee to the Department of State. I have been a member of the North Atlantic Salmon Treaty Working Group for over two years and look forward to the ratification of this Convention by the Senate and the subsequent improvement in north Atlantic salmon stocks through the wiser user of that resource made possible by this treaty.

The late Ambassador Donald L. McKernan presented a formal appeal for an international salmon conservation organization in a paper delivered at the Edinburgh Conference in 1978. Following his suggestions the European Economic Community (EEC), Canada and the United States worked through several draft texts until the spring of 1981 when several other north Atlantic countries, including Norway, Sweden, Iceland and the Faroe Islands, were invited to join the deliberation. The smooth language of the present Convention bears little evidence to the arduous labor and painful compromise which led to the signature by the United States on March 3, 1982.

All three of the initial conferees, the EEC, Canada and the United States, made major concessions in order to achieve compromise and produce a viable treaty. It is important that the Committee appreciate that at the time the Convention was finalized there was a bilateral agreement between Canada and the EEC establishing a Greenland quota for 1982 and 1983. Four years ago one of Canada's initial requirements for a treaty was that the Greenland quota be maintained through a 5-year moratorium on any increase. Despite the fact that there is no mention of a 5-year or even a 2-year moratorium on the Greenland quota present in the final document, Canada ultimately did agree to the present Convention. The United States continues to share Canadian concerns on maintaining the 1982 and 1983 Greenland quotas.

The EEC and the United States made concessions of equal magnitude finally leading to signatures by Canada, the EEC, Iceland, and Norway in addition to the United States. Iceland became the first and as yet only country to ratify the Convention on May 28, 1982.

The ratification process for other countries will undoubtedly require a several month period. Due to the encumbrances of EEC parliamen-

tary procedure it may be late in 1982 or possibly early in 1983 before that ratification can be completed. Although ratification in the United States is under way, there could be unforeseeable circumstances which cause delays in the presentation of the instrument to the Depository (the EEC). It is therefore of great importance that the United States continue to actively confer with Canada, holding conferences hopefully this fall on much needed studies and possible fishing regulations affecting the interception of American salmon. Second, continuing United States/Canadian discussion could profitably explore positive influences upon the presently tenuous fisheries relationship between the EEC, Denmark and Greenland, a matter of prime importance to the future success of the Convention. It is likely that Denmark will eventually push for an increase in the 1983 Greenland quota. Active progress by the United States and Canada might move other countries toward earlier ratification and perhaps have a much more beneficial affect on maintaining the Greenland status quo than any of the involved countries could have as separate agents. All of these issues and others will compose the immediate work of the North American Commission which will formally address these subjects following ratification of the Convention by the required countries. It should be noted that, according to Article XVII, two members of each Commission must ratify for the Convention to come into effect. Canada and the United States are the only members of the North American Commission, one of the three Commissions created by the Convention.[1]

The posture of the United States toward this treaty has much broader implications than the single issue of restoration of Atlantic salmon. The significance of the continuing ratification process (as emphasized by Denmark's probable interest in increasing the 1983 quota), the sensitive condition of the image of the United States as an international negotiator, as well as enhancement of Atlantic salmon stocks in American rivers, need to be kept in sober perspective toward the completion of this process. Inauguration of the North Atlantic Salmon Conservation Organization will mark the sixth treaty to which the United States is a party. Although the U.S. diplomatic experience with such organizations has clearly demonstrated that these international bodies are not always comfortable forums for U.S. perspectives on the use of natural resources. It is nevertheless obvious that the United States must participate in these deliberations. Through such endeavors not only may endangered stocks of fishes be saved but more meaningful and lasting relationships between countries established as well.

Summary

APPOINTED AND ELECTED POSITIONS

1. President, National Coalition for Marine Conservation, Inc., 1937 to present.
2. Commissioner, Atlantic States Marine Fisheries Commission, 1973 to 1980.

[1] The "Council" is the overall governing body created by the Convention. It is composed of three Commissions—North American, West Greenland and Northeast Atlantic—each having an interest in the appropriate maritime area. The membership of each Commission is composed of north Atlantic countries having stocks in that particular area of the Atlantic.

3. Advisor, International Commission for the Conservation of Atlantic Tunas, 1973 and 1974.

4. Member, Marine Fisheries Advisory Committee (MAFAC), Department of Commerce, 1974 to 1977; Chairman, Recreational Fisheries Sub-Panel, 1977.

5 Member, Fisheries Section, Ocean Affairs Advisory Committee, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State, 1975 to present.

6. Commissioner Designate, International Commission for the Conservation of Atlantic Tunas, 1975.

7. General Chairman, Marine Recreational Fisheries Symposium, 1977 to present.

8 Commissioner, International Commission for the Conservation of Atlantic Tuna, 1977 to present.

9. Chairman, Advisory Panel, South Atlantic Fishery Management Council, 1978 to 1981.

10. Advisor, North Atlantic Salmon Treaty Working Group, 1980 to present.

MARINE PUBLICATIONS

"Optimum Sustainable Yield as a Management Concept in Recreational Fisheries," published in Special Publication #9, American Fisheries Society, Washington, D.C., 1975.

"Recreational Fisheries and Legislative Change," presented at the Coastal Plans Center for Marine Development Services Conference on Marine Resources of the Coastal Plains States, Wilmintgon, North Carolina, December 5, 1974.

Editor, *Right Rigger*, monthly newsletter of the National Coalition for Marine Conservation, Inc., 1973–1977.

"Recreational Fishing Interests—Conflicts and Cooperation," published in *To Stem The Tide—Effective State Marine Fisheries Management*, September 1975.

"Allocation of Living Marine Resources—Recreational Fisheries Perspectives", presented at the National Conference on Marine Recreation, Newport Beach, California, October 4, 1975.

STATEMENT OF DAVID F. EGAN, PRESIDENT, THE CONNECTICUT RIVER SALMON ASSOCIATION, NEW HAVEN, CONN.

Mr. Chairman, members of the Committee. My name is David Egan. I am an attorney and I practice in New Haven, Connecticut. I am President of the Connecticut River Salmon Association and I came down here this morning specifically to testify in support of ratification of the Convention for the Conservation of Salmon in the North Atlantic Ocean.

We in New England believe that we are witnessing one of the most remarkable conservation achievements of this century with the successful restoration of Atlantic salmon to many of our great rivers. Twenty years ago the State of Maine held the only rivers in the United States which contained Atlantic salmon—and these runs were pitifully small. The largest of these rivers, the Penobscot had a run estimated at less than one hundred fish in 1968. Today there are eight

rivers in Maine with Atlantic salmon runs, and last year the Penobscot had a return of over 5,000 salmon. The Connecticut River once had the largest run of Atlantic salmon of any river in North America. Yet by the early 1960's, Atlantic salmon had been extinct in the Connecticut for over 100 years and vast stretches of the river were little more than an open sewer. In 1981, 531 Atlantic salmon returned to the Connecticut, and we now anticipate an annual run of 10,000 salmon by 1990. Twenty years ago the Merrimack was one of the most wickedly abused and grossly polluted rivers in the United States. Today Atlantic salmon are returning to the Merrimack, and we expect that within 10 years the Merrimack will once again be one of the major Atlantic salmon rivers in the northeast.

By any measure, that is a remarkable achievement. But it has not come easily—or cheaply. On the Connecticut River alone there are 32 organizations with an interest in Atlantic salmon restoration. These organizations, my own included, have donated literally thousands of man hours to bring this restoration to its current state. The total monetary investment is no less impressive. There are 15 Atlantic salmon hatcheries in New England representing an investment of approximately $19 million. $28,750,000 has been spent on fish ladders, with an additional $88 million scheduled to be spent on these facilities over the next several years. $13,359,200 in federal funding has been provided for other aspects of the Atlantic salmon programs in New England. The total thus spent to date on Atlantic salmon restoration is $61,109,200. The total cost can be conservatively estimated at $150 million. That is a substantial sum of money.

Yet it is apparent to all of us in New England, that we can double or even triple this expenditure and still not guarantee the success of these restoration programs. The linch-pin of an effective restoration program is an international agreement protecting the Atlantic salmon on its ocean migration to and from West Greenland. For the first time in history we have such an agreement with other nations of the North Atlantic.

I would like to add one other point. I was a member of the American diplomatic delegation to Reykjavik. I can assure the members of this Committee that it was American initiative, tenacity and commitment to purpose—and very little else—that brought this treaty about. The United States, right now, despite the fact that we are not yet a major Atlantic salmon producing nation, can be the world leader in the wise and prudent management of its growing Atlantic salmon stocks. The key to any such management scheme must be an international agreement protecting the Atlantic salmon on the high seas. Accordingly, we urge ratification of the Convention for the Conservation of Salmon in the North Atlantic ocean.

Respectfully submitted,

DAVID F. EGAN,
Attorney at Law.

Statistical Appendix—Annual Progress Report of the New England Atlantic Salmon Program, 1981

I. FUNDING FOR ATLANTIC SALMON RESTORATION PROJECTS

1. Coastal andromous funding resource appropriations

Fiscal year 1974	$394,000
Fiscal year 1975	408,000
Fiscal year 1976	677,000
Fiscal year 1977	846,000
Fiscal year 1978	1,418,000
Fiscal year 1979	1,141,000
Fiscal year 1980	1,388,700
Fiscal year 1981	1,509,400
Total	7,782,100

These total Federal funds are administered by the United States Fish and Wildlife Service (USFWS). About 80 percent is used for operation and maintenance of salmon hatcheries; the remainder is used for field studies, management investigations, tagging, etc.

2. Hatchery construction costs to completion

Litchfield, Nashua, and Sunderland facilities	$2,040,000
Green Lake Hatchery, Maine	6,292,000
White River Hatchery, Vt	10,608,000
Total	18,904,000

3. Fish passage facilities

Built or under construction	$28,750,000
Planned (committed funding)	88,000,000
Total	116,750,000

These private funds reflect expenditures incurred by power companies for installation of fish passage facilities at various dams.

4. Anadromous fish grants to States

D.J. Federal aid funds (1972–82)	$1,092,100
Anadromous fish Federal aid funds (1967–82)	2,351,800
State matching funds	2,133,200
Total	5,577,100

Federal Aid Funds for anadromous fish grants to States are matched by State funds on a 50/50 basis or 66⅔/33⅓ basis depending on whether the program is a multi-state or single state activity. D. J. (Dingle-Johnson) Federal Aid funds are a federal excise tax on fishing tackle distributed to states. Each project is funded by a three-fourths federal and one-fourth state share formula.

II. ATLANTIC SALMON STOCKING AND FACILITIES

Year	Merrimack River		Connecticut River		Maine (State of)	
	Fry/par	Smolt	Far/par	Smolt	Fry/par	Smolt
1974			8,600	79,500	35,100	143,800
1975	36,000		8,200	90,900	12,300	170,800
1976	139,000	18,700	30,000	63,800	55,500	443,700
1977	31,400	71,400	50,000	114,500	88,500	288,500
1978	106,100	47,200	50,000	130,700		823,800
1979	76,900	24,700	100,000	187,300	94,900	374,300
1980	90,000	32,400	100,000	65,000		681,900
1981	57,000	100,000	335,000	84,700	303,000	257,500
1982 estimate	180,000	70,000	375,000	224,000	770,000	375,000
Total	716,400	364,400	1,056,800	1,040,400	1,359,300	3,559,300

The United States now has a total of fifteen (15) Atlantic salmon facilities:

	Federal	State	Total
Production hatcheries	5	4	9
Adult holding facilities [1]	2	2	4
Release ponds [2]	1	1	2

[1] Sunderland National Salmon Station in Massachusetts is currently under construction.
[2] The Merrimack River release ponds in Litchfield, N.H., are currently under construction.

STATEMENT OF JOHN V. BYRNE, ADMINISTRATOR, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE

Mr. Chairman and Members of the Committee: I am pleased to have this opportunity to present to you the views of the Department of Commerce on the Convention for the preservation of Salmon in the North Atlantic Ocean.

Conclusion of the Convention in January 1982 marked the culmination of more than 3 years of intensive U.S. diplomatic effort. Throughout that period, the National Oceanic and Atmospheric Administration worked closely with the Department of State and with the U.S. Fish and Wildlife Service and the U.S. Coast Guard to bring this important treaty to fruition. We believe that it will complement efforts within the United States to restore stocks of U.S. origin salmon by reducing foreign interceptions. The Convention will also create an international forum in which countries producing salmon and those harvesting salmon can work together to assure productive fisheries.

Over the years, the United States has played a pivotal role on behalf of Atlantic salmon conservation in the international community. By the late 1960's, when catches off West Greenland had increased dramatically, the United States and Canada undertook, in the International Commission for the Northwest Atlantic Fisheries (ICNAF), to reach multilateral agreement limiting those catches. When these efforts failed, the United States entered into a bilateral agreement with Denmark in 1972 which phased out Danish high-seas catches off West Greenland and limited the Greenland harvest. Later that year, ICNAF adopted conservation measures based on the provisions of the United States-Danish Agreement, and that Agreement then lapsed. Under

ICNAF, Faroese and Norwegian high-seas salmon fisheries off West Greenland were also phased out by 1976.

The ICNAF measures continued in force until 1977 when coastal nations in the Northwest Atlantic extended their jurisdiction over fisheries. In 1978 and 1979, Canada continued the ICNAF conservation measures in its bilateral fisheries agreements with the European Economic Community (EEC), which acts on behalf of Denmark and Greenland in fisheries matters.

While conservation measures in the West Greenland fishery are obviously important, the interrelationship between interceptions and returns throughout the North Atlantic has been central to U.S. thinking and prompted U.S. efforts to approach salmon conservation on a multilateral basis. Interceptions off West Greenland affect returns to Canada and the United States, as well as to Ireland, the United Kingdom, and other European countries. Similarly, interceptions off the Faroe Island affect returns to Ireland, the United Kingdom, Norway, etc. For these reasons, an effective conservation organization must take into account the status of salmon throughout its range, and that the range of salmon of North American origin and of European origin overlap in at least the West Greenland area.

In 1978, the United States launched the diplomatic initiative which led to the Convention. At the Second International Atlantic Salmon Symposium, held in Edinburgh, Scotland, in September of that year, former U.S. Ambassador Donald L. McKernan proposed that a new international convention be undertaken to conserve and rehabilitate the Atlantic salmon runs of the North Atlantic Ocean. Ambassador McKernan cited both the precariously low levels of salmon abundance throughout the North Atlantic as well as the then recent extensions of fisheries jurisdiction by coastal nations to 200 miles as the impetus for his proposal. While extended jurisdiction provided coastal nations with a basis on which to regulate and control salmon fishing within their zones, he said, the migratory nature of salmon in the ocean made effective international cooperation imperative. Symposium participants strongly endorsed Ambassador McKernan's proposal.

Shortly thereafter, the Department of State, in consultation with the Department of Commerce, the Interior, and Transportation, circulated a draft Convention text to other governments for consideration. In April 1980, the United States convened the first multilateral working group meeting on Atlantic salmon in Washington, D.C. Thereafter the United States participated in multilateral working group meetings (in Brussels in November 1980, in Ottawa in January 1981, and in Oslo in May 1981) as well as in numerous bilateral and other multilateral meetings in pursuit of a new Convention. Last January, in Reykjavik, Iceland, those efforts culminated in the Diplomatic Conference which produced the Convention.

Perhaps in this context, it is more accurate to say that the Convention marks both an end and a beginning. For the first time, all countries bordering on the North Atlantic Ocean with important interests in salmon conservation will be able to work together in a single organization. While conservation measures were introduced in the West Greenland fishery in 1972, we believe that Canadian interceptions of U.S.-origin salmon also pose a significant problem for U.S. restoration efforts. Under the Convention, we will have an opportunity

in the North American Commission to investigate the extent of Canadian interceptions and develop measures to minimize them.

As negotiated, the Convention contains no pre-established limits on interceptions. Despite the need to control interceptions, the absence of pre-established limits need not be considered a weakness. Limits through 1983 have already been agreed upon for largest intercepting fisheries off the Faroe Islands and off West Greenland. The 1983 Faroese catch will be limited under the terms of a bilateral fisheries agreement between the EEC and the Faroe Islands. That limit will be below the level established for 1982, which is itself below the level established for 1981.

Similarly, the 1983 West Greenland catch will be limited under the terms of a bilateral fisheries agreement between the EEC and Canada, unless the Convention enters into force in 1983. In this respect, the EEC-Canada Agreement differs from the EEC-Faroe Islands Agreement since the limits contained in the latter presumably will control, notwithstanding entry into force of the Convention in 1983.

This difference in the EEC-Canada Agreement creates a dilemma. On the one hand, we are anxious for the Convention to enter into force at the earliest possible time. On the other, neither we nor any other country of origin for salmon stocks in the West Greeland fishery is anxious to lose the protection afforded by the EEC-Canada Agreement. We do not believe that the Convention can enter into force soon enough or that the West Greenland Commission can be established and begin its work fast enough to adopt alternative regulatory measures for the 1983 season. Nevertheless, we do not wish to delay implementing the Convention that we have worked so hard to negotiate and that is so badly needed.

In this situation, the Department of State has been working actively with Canadian and European officials since January in attempting to find a solution that will allow early entry into force of the Convention but will also provide for adequate conservation measures off West Greenland in 1983. We support this effort.

Amid our optimism about the Convention, I should inject one final note of caution. In February 1982, a plebiscite was held in Greenland concerning whether Greenland would continue its existing relationship with the EEC. We understand that Greenland voted to seek certain changes in that relationship, although we are not aware of the precise changes that will be sought or what their affects will be with respect to the Convention. It is conceivable that, depending on the changes, it will be necessary to renegotiate certain provisions of the Convention. If it proves necessary to do so, we hope that Greenland will be guided by the international consensus which has emerged in the course of over 3 years of negotiations and will recognize that the Convention holds real advantages for all countries with significant interests in salmon conservation.

Thank you, Mr. Chairman and Members of the Committee. I would be pleased to answer any questions you may have.

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